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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL RICHARD LYNCH AND
STEPHEN KEITH CHAMBERLAIN

Defendants.

CASE NO. 3:18-cr-00577-CRB

**DECLARATION OF GARY S.
LINCENBERG IN SUPPORT OF
DEFENDANT STEPHEN
CHAMBERLAIN'S MOTION IN LIMINE
TO PRECLUDE ADMISSION OF
EVIDENCE IN VIOLATION OF
CONFRONTATION CLAUSE**

Assigned to Hon. Charles R. Breyer

DECLARATION OF GARY S. LINCENBERG

I, Gary S. Lincenberg, declare as follows:

1. I am an active member of the Bar of the State of California and a partner with Bird, Marella, Rhow, Lincenberg, Drooks & Nessim, LLP, attorneys of record for Defendant Stephen Keith Chamberlain in this action. I make this declaration in support of Mr. Chamberlain's Motion in Limine to Preclude Admission of Evidence in Violation of Confrontation Clause. Except for those matters stated on information and belief, I make this declaration based upon personal knowledge and, if called upon to do so, I could and would so testify.

2. In or about January 2020, the Government produced to Mr. Chamberlain copies of transcripts from the UK civil proceeding.

3. Based on my review of the superseding indictment, the supplemental bill of particulars, and discovery, I understand one of the allegations against Mr. Chamberlain to be that he provided false information to Autonomy's external auditors relating to EMC's willingness to spend money that it was receiving from Autonomy in furtherance of a joint marketing relationship and/or the development of an appliance.

4. Attached as **Exhibit 1** is a true and correct copy of the Government's revised Rule 404(b), dated December 15, 2023.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I executed this declaration on February 7, 2024, at Los Angeles, California.



Gary S. Lincenberg